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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/674,258

09/29/2003

Anu Krappe

79375

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22242

7590

02/09/2005

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EXAMINER

LABAZE, EDWYN

ART UNIT

PAPER NUMBER

2876

DATE MAILED: 02/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/674,258

Applicant(s)

KRAPPE ET AL.

Examiner

EDWYN LABAZE

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 December 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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### DETAILED ACTION

1. Receipt is acknowledged of amendments filed on 12/13/2004.
2. Claims 1-14 (including new claims 9-14) are presented for examination.

### *Priority*

3. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### *Claim Rejections - 35 USC § 102*

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Jones et al. (U.S. 6,843,422).

Re claims 1 and 8-9: Jones et al. discloses contact smart cards having a document core, contactless smart cards including multi-layered structure, pet-based identification document, and methods of making same, comprising a carrier web 61 which comprises circuitry patterns [as shown in figs. # 6-12], each having an integrated circuit 102 [as disclosed in fig. # 10], at suitable spaces one after another or next to each other and at least one cover web attached to the carrier-web wherein the carrier web and the cover web are attached by a thermoplastic adhesive

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[herein disclosed as adhesive layers 11 and 13] bonding film web (col.9, lines 5+; col.20, lines 22+; col.25, lines 35+). Jones et al. further teaches circuitry patterns in at least one cavity 20, each pattern having an integrated circuit, each pattern adjacent the other along the carrier web (col.4, lines 30+; col.10, lines 1+).

Re claims 2 and 10: Jones et al. teaches an apparatus and method, wherein the smart card, wherein the smart card web comprises several cover web layers [such as laminates 12 & 14 as shown in fig. # 4A-C; laminates 64 a & b as shown in figs. # 6-9] which are attached to each other by thermoplastic adhesive bonding film webs (col.7, lines 1+).

Re claims 3 and 11: Jones et al. discloses an apparatus and method, wherein the material of the thermoplastic adhesive bonding film is based on modified polyolefin or modified polyurethane (col.20, lines 22+).

Re claims 4 and 12: Jones et al. teaches an apparatus and method, wherein the carrier web 61 is made of polyester (col.18, lines 37+).

Re claims 5 and 13: Jones et al. discloses an apparatus and method, wherein the cover web [such as laminates 12 & 14 as shown in fig. # 4A-C; laminates 64 a & b as shown in figs. # 6-9] is made of polyvinyl chloride or polyester (col.20, lines 27+).

Re claim 6: Jones et al. teaches an apparatus and method, wherein at the location of the chip 102 there is a cavity 20 in the cover web (see figs. # 2A-4C, 11-12; col.9, lines 34-67; col.10, lines 1-67).

Re claims 7 and 14: Jones et al. discloses an apparatus and method, wherein the thermoplastic adhesive bonding film web [herein disclosed as adhesive layers 11 & 13 of fig. #

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1; 112c & 114c of fig. # 11 wherein the chip/module 102 is sandwiched between the layers] is arranged to cover the chip (col.21, lines 13+).

### ***Response to Arguments***

6. Applicant's arguments with respect to claims 1-14 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Horiba et al. (U.S. 5,822,194) discloses electronic part mounting device.

Chung (U.S. 6,288,905) teaches contact module, as for a smart card, method for making the same.

Brunet et al. (U.S. 6,371,378) discloses smart card provided with guarantee label.

Chung (U.S. 6,353,420) teaches wireless article including a plural-turn loop antenna.

Chung (U.S. 6,421,013) discloses tamper-resistant wireless article including an antenna.

Kano et al. (U.S. 6,522,549) teaches non-contact type IC card and method for fabricating the same.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EDWYN LABAZE whose telephone number is (571) 272-2395.

The examiner can normally be reached on 7:30 AM - 4:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

el  
Edwyn Labaze  
Patent Examiner  
Art Unit 2876  
February 7, 2005



**THIEN M. LE**  
**PRIMARY EXAMINER**